

Citizens For Environmental Justice

PROJECT:TOXIC WASTE CONTAMINATION @E93rd & QUINCY ave.

Union Grove Baptist Church

8932 Quincy Ave

Cleveland Ohio 44106

216-231-3985

Rev. E.L. Rogers, Pastor Chairman.

Judge Sara J. Harper (ret.) Co-Chair

Linda Thomas Co-Chair

Lavern Jones Gore Co-Chair

Mark Delorean Co-Chair

Stanley E. Tolliver Esq. Co-Chair



October, 2000

Ann E. Goode, Director
Office of Civil Rights U.S.
Environmental Protection Agency
Washington, DC

CITIZENS FOR ENVIRONMENTAL JUSTICE **CITIZENS' COMPLAINT**

Please help us keep Cleveland, Ohio, Cuyahoga County Commissioners, Jim Dimora, Jane Campbell and Tim McCormack, who are engaged in a conspiracy with Cleveland Mayor Michael White, Councilperson Pat Britt and Sam Miller, from "killing our kids" just because they are black and some are poor.

Using data from 2,003 court cases referred to 13 urban Ohio juvenile courts in 1989, results of logistics regression analysis show that 1) minority offenders are more likely to be detained than their white counterparts; 2) detention status augments juveniles' chances of being adjudicated and confined; 3) minority juveniles who are from welfare families are more likely to be confined than their self-sustaining counterparts. See, "The Entangled Efforts of Race and Urban Poverty", Bohsiu, PhD and Angela Lloraza Fuentes, PhD, Spring 1998.

Commissioners Dimora, Campbell, McCormack and those mentioned above want to build a Juvenile Detention facility for 300 young Black children on a site that has been certified as a toxic waste dump called Brownfield which is in an area with 47 other facilities that generate, store or dispose of hazardous waste, and a railroad track that ferries more than 50 trains a day, across the street from an elementary school for the mentally challenged, at a cost of millions of dollars of taxpayers' money.

Ohio is among the top 5 states in the nation in the frequency of death and injury in juvenile justice correctional facilities.

"We hold these truths to be self-evident, that all men are created equal, they are endowed by their Creator with certain unalienable Rights, that among these are life, liberty, and the pursuit of Happiness. That to secure these rights, Governments are instituted among men, deriving their just powers from the consent of the governed."

Declaration of Independence July 4, 1776

According to the Environmental Protection Agency, as of February 2000, there are 12 Ohio spill sites within approximately 0.75 miles of the proposed juvenile Detention facility at East 93rd and Quincy Avenues in Cleveland, Ohio. There are 3 TRIS sites that release toxic chemicals into the air, water and land in reportable and measurable quantities. This exposure would certainly have negative health impact on the children housed in this proposed facility. There are 4 MLTS sites within 0.75 miles of the proposed Juvenile Detention site, which possess radioactive material. Environmental contamination would certainly kill our kids and the negative impact may last for generations. Furthermore, there are 2 underground storage tanks sites within 0.75 miles of the proposed Juvenile Detention facility and 27 LEAKING underground storage facilities. This is clearly a health hazard compounded by its exposure to young kids.

In a report dated September 1, 1999, the Resource Conservation and Recovery Act revealed that there are 47 sites that generate, store, treat or dispose of hazardous waste within approximately 0.25 – 1.25 miles of the proposed Juvenile Detention site. This would also kill our kids by unnecessary exposure to this material.

“In a free country, the government should no longer be a tool for protecting the interest of the slaveholder and enforcing their demands.”(John Brown’s Harper’s Ferry, 1859)

We have contacted our local EPA office, our U.S. Senator Mike DeWine and Congresswoman Stephanie Tubbs Jones as well as those mentioned before but have had no response. Therefore the following persons are seeking redress for our grievances. This is a Black community with a significant elderly population. They have already been victimized by the City of Cleveland and Cuyahoga County since 1984 and are sick and dying from brain cancer, liver cancer, asthma and reproductive disorders. Now these dastardly politicians in conspiracy with greedy land developers want to kill our kids.

The politicians never encouraged effective public participation and outreach in the decision-making process regarding this site and the proposed Juvenile Detention facility. The City of Cleveland, Cuyahoga County and the land developers never conducted adverse impact or demographic analysis prior to making their decision. They never participated in alternative dispute resolution. In fact this site was never on the original list of proposed site.

Early inclusive, meaningful residential notice, and public involvement in the rezoning process, the planning process or any process was never, we mean never, engaged in by the perpetrators. It was a sneak attack by Mayor White, the Cuyahoga County Commissioners, Dimora, McCormack, and Campbell, with the help of council person Pat Britt, members of the Cleveland City Council, Sam Miller, and Sunrise Land Development Company.

Lawsuits are on the horizon. We believe the obstinate failure by our elected officials, in particular, Commissioners Campbell, Dimora, and McCormack, members of Cleveland City Council; in particular, Pat Britt, to perform their duty to protect their citizens regardless of race, creed, or color, warrants the presumption of indifferences to their civil rights, and may be construed by the courts as intentional misconduct.

In our appendices, you will find our support and documentation for the allegations, conclusions, and desperation express in this Civil Rights Title VI Complaint. Please help us keep "THEM" from "Killing Our Kids," by conducting an in depth investigation.

Respectfully Submitted,



Sara J. Harper
Retired Judge & Co-Chair of
Citizens for Environmental
Justice

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Brownfield Coordinator
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FROM: Citizens for Environmental Justice

Sara J. Harper

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